

REMARKS

Foreign Priority:

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority under 35 U.S.C. § 119(a)-(d), and that the certified copy of the priority document has been received.

Drawings:

Applicant also thanks the Examiner for indicating that the drawings filed with the present application have been accepted. However, Applicant notes that the Examiner has not indicated that the drawings filed on January 15, 2004 have been approved. Applicant hereby requests the Examiner acknowledge receipt of these drawings and indicate that these drawings have been approved.

Information Disclosure Statement:

Applicant also thanks the Examiner for initialing and returning the Forms PTO/SB/08 A & B filed with the present application and on March 5, 2004, respectively, thus indicating that the initialed references listed thereon have been considered.

However, Applicant notes that the Examiner has failed to initial the patent abstract which was listed on the Form PTO/SB/08 A & B filed on March 5, 2004. Therefore, Applicant hereby requests the Examiner initial the patent abstract listed on the Form PTO/SB/08 A & B filed March 5, 2004, and return an initialed copy thereof to ensure that that the reference is properly considered.

Allowable Subject Matter:

Applicant sincerely thanks the Examiner for indicating that claims 1-3 are in allowable condition, and that although claim 5 has been objected to, this claim would also be allowable if written in independent form.

Claim Rejection:

Claims 1-5 are all of the claims pending in the present application, and currently claim 4 is the only claim which stands rejected.

35 U.S.C. § 102(b) Rejection - Claim 4:

Claim 4 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent Application No. JP 8-136091. In view of the following discussion, Applicant respectfully traverses the above rejection.

Applicant notes that JP '091 discloses a single measuring step before adding the needed refrigerant components. JP '091 fails to disclose a refrigerant refill amount calculating method which has the step of measuring refrigerant component ratios of a mixed refrigerant filled into a refrigerating machine based upon an amount of a refrigerant component which has been additionally filled into the refrigerating machine, and also, a change amount of component ratios which have been measured before and after the refrigerant component was filled. Because JP '091 fails to disclose this aspect of the claimed invention, Applicant submits that JP '091 fails to disclose each and every element of claim 4.

AMENDMENT UNDER 37 C.F.R. §1.111
Application Number 10/665,434

Our Ref: Q77587
Art Unit: 3744

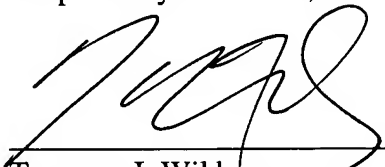
Therefore, Applicant submits that JP '091 fails to anticipate the claimed invention, as required under the provisions of 35 U.S.C. § 102(b). Accordingly, Applicant hereby requests the Examiner reconsider and withdraw the above rejection of claim 4.

Conclusion:

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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Date: October 7, 2004